

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GARY R. KING,

Plaintiff,

JAMES KEY, *et al.*,

Defendants.

CASE NO. 3:20-CV-05568-BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) Honorable David W. Christel, United States Magistrate Judge. Dkt. 8. The Court having considered the R&R and the remaining record, and no objections having been does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
 - (2) This Case is **DISMISSED without prejudice** for failure to state a claim upon which relief may be granted. This dismissal constitutes a strike under 28 U.S.C. § 1915(g);
 - (3) Plaintiff's application to proceed *in forma pauperis* (Dkt. 5) is **DENIED** as moot; and

1 (4) The Clerk shall enter **JUDGMENT** and close this case.

2 Dated this 21st day of October, 2020.

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BENJAMIN H. SETTLE
United States District Judge